

Panaji, 27th February, 1992 (Phalguna 8, 1913)

SERIES I No. 48

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

*NOTE:- There is one Extraordinary issue to the Official Gazette, Series I No. 47 dated 20-2-1992 with the date namely: 24-2-92 from pgs. 515 to 516 regarding Notification from Department of Cooperation.*

### GOVERNMENT OF GOA

Department of Personnel

#### Notification

1/6/79-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing recruitment rules for the posts the Governor of Goa hereby makes the following rules relating to recruitment to the Goa General Service, Group 'A' Gazetted post in the Directorate of Tourism, Government of Goa, namely: —

#### 1. Short title, application and commencement. —

(1) These rules may be called the Government of Goa, Directorate of Tourism, Group 'A' Gazetted post, Recruitment Rules, 1992.

(2) *Application.* — These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

#### 2. Number, classification and scales of pay. —

The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in Columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

**3. Method of recruitment, age limit and other qualifications.** — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

**4. Disqualification.** — No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may if satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

**5. Power to relax.** — Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Goa Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons.

**6. Saving.** — Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

7. These rules are issued in consultation with the Goa Public Service Commission vide their letter No. COM/II/13/48(2)/91 dated 10-1-1992.

By order and in the name of the Governor of Goa.

G. J. Prabhudessai, Under Secretary (Personnel).

Panaji, 10th February, 1992.

## SCHEDULE

Name/designation of post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & Educational Qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer by contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Deputy Director of Tourism	1 (1992) Sub-ject to variation dependent on work-load	Goa General Service Group 'A' Gazetted	Rs. 2200-75-2800-EB-100-4000	Selection	N. A.	No	N. A.	Age: N. A. Qualification: N. A.	Two years	By promotion	Assistant Director of Tourism with 3 years experience in the grade.	Group 'A' D. P. C. consisting of: 1. Chairman/Member G.P.S.C. — Chairman 2. Chief Secretary or his nominee — Member 3. Administrative Secretary/Head of Department — Member (for promotion only)	As required under the G. P. S. C. (Exemption from Consultation) Regulations 1988. Consultation with the G. P. S. C. necessary while making direct recruitment, promotion, confirmation selecting an Officer for appointment on deputation and amending/relaxing any of the provisions of these Rules.

## Law (Legal and Legislative Affairs) Department

## Notification

10-2-92/LA

The Indian Red Cross Society (Amendment) Ordinance, 1992 (No. 3 of 1992) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 23-1-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 7th February, 1992.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS  
(Legislative Department)

New Delhi, the 23rd January, 1992/  
Magha 3, 1913 (Saka)

The Indian Red Cross Society (Amendment) Ordinance, 1992  
No. 3 of 1992

Promulgated by the President in the Forty-second Year of the Republic of India

An Ordinance further to amend the Indian Red Cross Society Act, 1920.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Indian Red Cross Society (Amendment) Ordinance, 1992.

(2) It shall come into force at once.

2. *Insertion of new sections 4A to 4E*—After section 4 of the Indian Red Cross Society Act, 1920 (hereinafter referred to as the principal Act), the following sections shall be inserted, namely:—

“4A. *President of the Society.*—The President of India shall be the President of the Society (hereinafter referred to as the President).

4B. *Composition of Managing Body.*—(1) Notwithstanding anything contained in section 3, the Managing Body shall consist of the following members, namely:—

(a) a Chairman to be nominated by the President for such term as he may deem fit;

(b) six members to be nominated by the President for such term as he may deem fit;

(c) twelve members to be elected by the State Branch Committees for a term of two years in

accordance with the rules made by the Managing Body under section 5:

Provided that not more than one member shall be elected by any State Branch Committee:

Provided further that no member, elected under this section, shall hold office continuously for more than two terms.

(2) The Managing Body existing immediately before the commencement of the Indian Red Cross Society (Amendment) Ordinance, 1992 shall cease to exist and the Chairman and all the members of the said Body shall be deemed to have vacated their offices on such commencement and the Managing Body shall be reconstituted within a period of six months from such commencement in accordance with the provisions of sub-section (1) and until it is so reconstituted, the President may authorise any person or body of persons to exercise and discharge all the powers, functions and duties which may, under the provisions of this Act or the rules made thereunder, be exercised or discharged by or on behalf of the Managing Body.

4C. *Secretary-General and Treasurer of the Society.*—(1) The Managing Body shall, with the previous approval of the President, appoint a Secretary-General and a Treasurer of the Society.

(2) The term of office and the conditions of service of the Secretary-General and the Treasurer shall be such as the Managing Body may determine by rules made under section 5:

Provided that the term of office and conditions of service of the Secretary-General and the Treasurer may be varied in like manner by the Managing Body.

(3) Notwithstanding anything contained in any contract or agreement and notwithstanding any judgment, decree or order of any court, tribunal or authority or anything contained in any other provision of this Act or the rules made thereunder, the term of office and conditions of service of any person appointed as the Secretary-General of the Society at any time before the commencement of the Indian Red Cross Society (Amendment) Ordinance, 1992 may be varied by the Managing Body with the previous approval of the President.

4D. *Powers and functions of the Chairman and Vice-Chairman.*—(1) The powers and functions of the Chairman shall be—

(a) to preside over the meetings of the Managing Body and all other Committees set up by the Managing Body of which he is the Chairman;

(b) to re-appropriate, on the advice of the treasurer of the Society, budgetary allocation from one major head of account to another major head of account;

(c) to authorise, on the advice of the Treasurer of the Society, expenditure on items not contemplated in the annual Budget of the Society, subject to the availability of funds;

(d) to institute, if necessary, disciplinary proceedings against officers of and above the rank of Deputy Secretary of the Society:

Provided that the final decision on the basis of the disciplinary proceedings so instituted shall be taken, —

(i) in the case of Secretary-General of the Society, with the previous approval of the President;

(ii) in other cases, with the previous approval of the Managing Body.

(2) The powers and functions of the Vice-Chairman shall be,—

(a) to exercise the powers and perform the functions conferred on the Chairman under sub-section (1) or delegated to him under sub-section (3), in the absence of the Chairman on leave or on tour abroad or for any other similar reasons;

(b) to act as *ex officio* member in all the Committees or Sub-Committees appointed by the Managing Body.

(3) The Chairman and the Vice-Chairman shall, in addition to the powers exercisable by them under sub-sections (1) and (2), exercise such other financial and administrative powers as may be delegated to them by the Managing Body in accordance with rules made by it under section 5.

4E. Powers of the President to supersede the Managing Body. — (1) If, at any time, the President is of opinion—

(a) that there has been gross failure in the management of the affairs of the Society by the Managing Body; or

(b) that the Managing Body is acting in a manner which is prejudicial to carrying out the objectives of the Society,

the President may, by order in writing, supersede the Managing Body for such period, not exceeding six months, as may be specified in the order:

Provided that before issuing an order under this sub-section, the President shall give a reasonable opportunity to the Managing Body to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the Managing Body.

(2) Upon the issue of an order under sub-section (1) superseding the Managing Body,—

(a) all the members of the Managing Body shall, as from the date of supersession, vacate their offices as such;

(b) all the powers, functions and duties which may, under the provisions of this Act or the rules made thereunder, be exercised or discharged by or on behalf of the Managing Body, shall, until the Managing Body is re-constituted, be exercised and discharged by such person or body of persons as the President may appoint in this behalf.

(3) On the expiration of the period of supersession specified in the order issued under sub-section (1), the President may extend the period of supersession for such further period, not ex-

ceeding six months at a time, as may be recommended by the person or body of persons appointed under clause (b) of sub-section (2):

Provided that the President may, at any time before the expiration of the period of supersession, whether as originally specified under sub-section (1) or extended under this sub-section, take such steps as are necessary to re-constitute the Managing Body in accordance with the provisions of section 4B.”.

3. Amendment of section 5.—Section 5 of the principal Act shall be renumbered as sub-section (1) and—

(a) in sub-section (1) as so re-numbered,—

(i) in the opening portion, for the words “subject to the condition of previous publication”, the words “with the previous approval of the President” shall be substituted;

(ii) for clause (d), the following clause shall be substituted, namely:—

“(d) the procedure of election of members by State Branch Committees;”;

(iii) for clauses (ee) and (f), the following clauses shall be substituted, namely:—

“(f) the powers exercisable by the Managing Body in supervising the activities of State Branch Committees;

(g) delegation of financial and administrative powers to the Chairman and Vice-Chairman;

(h) disqualifications for membership of the Managing Body;

(i) the term of office and conditions of service of the Secretary-General and the Treasurer and other officers of the Society;

(j) the regulation of the procedure generally of the Society and Managing Body.”;

(b) after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:—

“(2) The Central Government shall cause every rule made under this section to be laid as soon as may be after the rule is made before each House of Parliament while it is in session, for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses of Parliament agree in making any modification in the rule or both Houses agree that the rule should not be made, that rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

4. *Amendment of section 12.* — In section 12 of the principal Act, the words "to regulate its own procedure and constitution," shall be omitted.

R. VENKATARAMAN,  
*President.*

V. S. RAMA DEVI,  
*Secy. to the Govt. of India.*

#### Notification

10-2-92/LA

The Destructive Insects and Pests (Amendment and Validation) Ordinance, 1992 (No. 4 of 1992) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 25-1-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 7th February, 1992.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS  
(Legislative Department)

*New Delhi, the 25th January, 1992*  
*Magha 5, 1913 (Saka)*

The Destructive Insects and Pests (Amendment and Validation)  
Ordinance, 1992  
No. 4 of 1992

Promulgated by the President in the Forty-  
second Year of the Republic of India

An Ordinance further to amend the Destructive  
Insects And Pests Act, 1914.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the Powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance: —

1. *Short title and commencement.* — (1) This Ordinance may be called the Destructive Insects and Pests (Amendment and Validation) Ordinance, 1992.

(2) It shall be deemed to have come into force on the 27th day of October, 1989.

2. *Amendment of section 3.* — In section 3 of the Destructive Insects And Pests Act, 1914 (hereinafter referred to as the principal Act), after sub-section (2), the following sub-section shall be inserted, namely: —

Act 2 of  
1914

"(3) The Central Government may, by notification under this section, also levy and collect such fees at such rates and in such manner as may be

specified therein for making an application for a permit to import, or for making inspection, fumigation, disinfection, disinfestation or supervision of, any article or class of articles or any insect or class of insects under this section."

3. *Validation.* — (1) Notwithstanding any judgment, decree or order of any court, tribunal or other authority,—

(i) the notification No. S. O. 867(E) dated 27th October, 1989 issued under sub-section (1) of section 3 of the principal Act, and

(ii) any fees levied or collected or purported to have been levied or collected for making an application for a permit to import, or for making inspection, fumigation, disinfection, disinfestation or supervision of, any article or class of articles or any insect or class of insects under the principal Act or the said notification, —

shall, for all purposes, be deemed to be and to have always been validly issued or, as the case may be, levied or collected in accordance with the provisions of section 3 of the principal Act as amended by this Ordinance, and accordingly —

(a) no suit or other proceeding shall be maintained or continued in any court for the refund of any fees so collected;

(b) no court or other authority shall enforce any decree or order directing the refund of any fees so collected;

(c) any fees levied or purported to have been levied but not collected, may be recovered under the principal Act as amended by this Ordinance; and

(d) anything done or any action taken or purported to have been done or taken under or for the purposes of the principal Act shall be deemed to have been validly done or taken in accordance with law as if the provisions of section 3 of the principal Act as amended by this Ordinance had been in force at all material times.

(2) For the removal of doubts, it is hereby declared that nothing in sub-section (1) shall be construed as preventing any person —

(a) from questioning in accordance with the provisions of the principal Act, as amended by this Ordinance, or the notification issued under section 3 of the principal Act, the levy or collection of such fees; or

(b) from claiming refund of any fees paid by him in excess of the amount due from him under the principal Act, as amended by this Ordinance, or the said notification.

R. VENKATARAMAN,  
*President.*

V. S. RAMA DEVI,  
*Secy. to the Govt of India.*

## Notification

10-2-92/LA

The Representation of the People (Second Amendment) Ordinance, 1992 (No. 2 of 1992) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 19-1-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 31st January, 1992.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS  
(Legislative Department)

New Delhi, the 19th January, 1992/Pousa 29, 1913  
(Saka)

The Representation of the People (Second  
Amendment) Ordinance, 1992

No. 2 of 1992

Promulgated by the President in the Forty-second  
Year of the Republic of India.

An Ordinance further to amend the Representation  
of the People Act, 1951.

Whereas Parliament is not in session and the  
President is satisfied that circumstances exist which  
render it necessary for him to take immediate  
action;

Now, Therefore, in exercise of the powers con-  
ferred by clause (1) of article 123 of the Consti-  
tution, the President is pleased to promulgate the  
following Ordinance:—

1. *Short title and commencement.*—(1) This  
Ordinance may be called the Representation of the  
People (Second Amendment) Ordinance, 1992.

(2) It shall come into force at once.

2. *Amendment of section 30 of Act 43 of 1951.*—  
In section 30 of the Representation of the People  
Act, 1951, in clause (d), for the words "twentieth  
day", the words "fourteenth day" shall be substituted.

R. VENKATARAMAN,  
President.

V. S. RAMA DEVI,  
Secy. to the Govt. of India.

## Law (Establishment) Department

Office of the Chief Electoral Officer

## Notification

3-1-87/ELEC-Vol-I

The following Notification No. 56/91(8), dated  
29th January, 1992 issued by the Election Commis-  
sion of India, New Delhi is hereby published for  
general information.

B. S. Subbanna, Law Secretary/Addl. Chief Elec-  
toral Officer.

Panaji, 10th February, 1992.

## ELECTION COMMISSION OF INDIA

Nirvachan Sadan,  
Ashok Road,  
New Delhi - 110001.

Dated the 29th January, 1992.

Magha 9, 1913 (SAKA)

## Notification

No. 56/91-(8).—In exercise of the powers con-  
ferred by Article 324 of the Constitution of India  
read with Section 29A of the Representation of the  
People Act, 1951 and paragraphs 17 and 18 of the  
Election Symbols (Reservation and Allotment)  
Order, 1968, the Election Commission hereby directs  
that its Notification No. 56/91, dated 19th April,  
1991, published as O. N. 98(E) in the Gazette of  
India Extraordinary, Part II, Section 3(iii) dated  
19th April, 1991, as amended from time to time,  
shall be further amended to make it uptodate as  
follows namely,—

In Table III appended to the said Notification,  
after the existing entries under column (1) and (2)  
at S. N. 342, the following entries, namely,—

"343. Shiromani Akali Dal (S) House No. 6,  
Sector 5,  
Chandigarh."

SHALL BE INSERTED.

By order,  
K. P. G. KUTTY  
Secretary